

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**ANNIE CRAWFORD, on behalf of
herself and all others similarly situated,**

Plaintiff,

V.

TALK AMERICA, INC. a Pennsylvania corporation,

Defendant.

Case No. 05-CV-00180-DRH

**ORDER GRANTING PLAINTIFF'S MOTION TO VACATE
JUNE 6, 2005 ORDER PURSUANT TO RULE 60(b)**

This matter comes before the Court on Plaintiff's Motion To Vacate June 6, 2005 Order Pursuant To Rule 60(b). The Court has carefully considered the papers submitted herein. The Motion is **GRANTED**. The Court finds that Plaintiff's counsel's negligence in failing to timely file an opposition to Defendant's May 16, 2005 Motion To Compel Arbitration And Stay Action Pursuant To The Federal Arbitration Act Or, Alternatively, To Stay The Action In Favor Of The Primary Jurisdiction Of The Federal Communications Commission is excusable. Plaintiff shall file her response to Defendant's motion no later than June 13, 2005.

IT IS SO ORDERED.

Dated: June 7, 2005

/s/ David RHerndon

United States District Judge